



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 6, 2022

By ECF

Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Brian Benjamin, S2 21 Cr. 706 (JPO)*

Dear Judge Oetken:

Yesterday, the Government filed a notice of appeal from this Court's order dated December 5, 2022, which granted in part the defendant's motion to dismiss as to Counts One through Three of the current indictment.

Accordingly, the Government respectfully requests that the January 23, 2023 trial date (as well as any related pretrial deadlines) be adjourned *sine die* pending resolution of that appeal, and that all motions and related briefing currently pending before this Court be held in abeyance. Through counsel, the defendant consents to these requests.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By: /s/

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cc: Counsel of Record (via ECF)